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SUBJECT: SOMALIA - Political Tensions in Somaliland

REF: Nairobi 645

Summary

¶1. (SBU) Political tensions in Somaliland are high as preparations for the presidential election, which should have taken place in March 2008, are at a standstill. The elections have been rescheduled four times and with a political impasse among stakeholders, we are pressuring Somaliland stakeholders to stick to the current election date of September 27. Continued delays in the electoral calendar have generated considerable public frustration which could degenerate into civil unrest. We have urged President Riyale to endorse an agreement reached by key stakeholders and have emphasized to him the importance of reforming the National Electoral Committee and agreeing to a code of conduct. We expect that Riyale and the opposition leaders will sign the agreement in the coming days. We will continue to work with other donors to continue the pressure to ensure progress on the elections. End summary.

September Elections in Doubt

¶2. (SBU) In line with the Somaliland constitution, President Riyale's original term of office should have expired on May 15 2008, and an election to choose his successor should have been held at least one month before that date. That election has not yet taken place and the date has been rescheduled on four different occasions. In March, the Guurti (House of Elders) proposed September 27, 2009, as the new election date and extended Riyale's term in office to October 29. The opposition parties initially opposed this decision, but have since accepted the new date, as long as Riyale's term is not extended again. Current wrangling over the terms of the election, which will need to be captured in a code of conduct, must be overcome in the coming weeks for this process to move forward without further delay.

¶3. (SBU) All parties bear some blame for Somaliland's current political crisis as they have separately maneuvered to get the upper hand. Riyale has been adept at blaming others for the repeated delays, as well as citing terrorist activity, donors, the National Electoral Commission (NEC), international implementing agencies, and the voter registration system as responsible. Perhaps the single-most responsible actor for the delays in the electoral calendar is the NEC. Any additional delays will likely arise because the current NEC is not capable of leading a process as complex and politically charged as the presidential elections. The NEC's structure and composition must be changed if it is to provide

proper oversight of the presidential elections

National Electoral Committee
Remains Major Impediment

¶4. (SBU) Most observers consider the NEC not only incompetent, but also corrupt. Three of the commissioners were directly appointed by Riyale, who also strongly influenced the selection of the two representatives of the Guurti on the NEC. The two opposition parties appointed two commissioners each but President Riyale is believed to directly influence the NEC, and his interference may be responsible for its problems. For example, three of the commissioners publicly disparaged the process, the donors, and each other. The NEC representatives are at odds with each other, very loose-tongued, and not prepared to lead an electoral process, our contacts say. The political parties have weighed various options but so far the fear of further delays has paralyzed any action for change. An idea which has some buy-in is to add several more members to the existing NEC. Provided they were credible, and agreed upon by consensus, their presence might dilute the negative influence of the existing members.

Mediation Makes Headway;
Riyale Promises to Do His Part

¶5. (SBU) After weeks of escalating tension, a local mediation effort led by members of the elections monitoring board brought the

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three party leaders together for face-to-face talks in April and negotiated an arbitration agreement. The agreement document sets out basic principles on equitable access to the media, use of public resources, and freedom of assembly, but defers discussion of the details to a code of conduct and multi-party dispute resolution and monitoring mechanism to be established later. After the discussions, Riyale, Kulmiye opposition party chairman Mohamed Silanyo and UCID opposition party chairman Faisal Warabe all announced they had reached an agreement. However, President Riyale has delayed signing the agreement. Our contacts told us he balked at the specific clause that prohibits an extension of the presidential mandate if the elections do not take place on time.

¶6. (SBU) In a May 21 phone call with former Special Envoy for Somalia Ambassador John Yates, President Riyale insisted that the April 29 agreement was "not an agreement to be signed." He said the parties never met and were presented a mediation document as a fait accompli. In the end, he accepted the terms, then equivocated by saying "We (meaning himself) will do our best...." Ambassador Yates insisted there could be no more delays. He reiterated that Somaliland's hallmark was its commitment to constitutionality, legality, and good governance.

¶7. (SBU) We were told the European Union Special Envoy for Somalia reinforced Ambassador Yates' messages to President Riyale in a May 25 telephone call. According to the EU special envoy's staff, Riyale responded that no expansion or modification of the NEC could be envisaged, as this would require modifying the legal framework and would inevitably delay the elections still further. Riyale promised to ensure that the NEC works harmoniously with donor-funded partners like Interpeace and stated his commitment to the conclusion of a binding Code of Conduct. Riyale reported that the "monitoring body" is already in place. Riyale told the Europeans and us he is committed to holding the elections on September 27, and to accepting the result whatever the outcome.

Voter Registration: Stakeholders
Must Endorse a Final List

¶8. (SBU) Somaliland's voter registration process, replete with a sophisticated biometric system, is moving forward. Despite a number

of flaws, there are now 1.25 million out of 1.35 million records with biometric data (either fingerprint or photograph). The next step in the process is to establish the final parameters by which duplicate records are disqualified. On this issue, much groundwork has been done with the political parties to ensure that they will accept the parameters for disqualifying a registrant. They have provisionally agreed that if there is no (or duplicate) biometric data, the name will be disqualified and that all registrants who have their fingerprints and/or photos included in the system will be allowed to vote in the first center they registered in. The system will prevent registrants from voting in other polling stations. The technical experts working on the registration list will produce electronic copies of the final voter list, and an annex of disqualified voters for each of the parties before July 27. The final list will be published in all polling stations shortly before the elections.

Elections Possible
Despite Major Challenges

¶9. (SBU) The threat of al-Shabaab in Somaliland continues to influence the electoral process. The October 2008 terrorist attack in Hargeisa set the election timeline back months and there is fear that another attack could further delay the elections. The security risk also threatens an international presence and full technical support by international partners.

¶10. (SBU) The democratization steering committee, led by Nairobi-based donors, established conditions that have to be met before funding can support the elections. The conditions include a signed code of conduct to be submitted no later than June 21, an endorsed final voter registration list, a binding mediation committee, confirmed financial contributions by the government, and a detailed security plan from the government.

¶11. (SBU) Provided that all the stakeholders come on board, the

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election could be conducted by the September 27 date, however the challenges are formidable. The elections are scheduled to take place just after Ramadan, which will mean that the formal campaign period and all final preparations will be held during the most challenging period of the year. Current wrangling over the terms of the election, which will need to be captured in a code of conduct, must be overcome in the coming weeks for this process to move forward without further delay. Funds from the government must be made available by mid-June to ensure the resources needed to prepare for and carry out the elections are not delayed.

Next Steps

¶12. (SBU) The three Somaliland political parties are expected to sign the arbitration agreement by the end of May. This needs to be quickly followed by an agreement on a code of conduct and the parameters to certify the voter registration list. The international community has agreed to continue pressure on the government and the opposition parties. In the phone call last week with Ambassador Yates, President Riyale said "You have my commitment that there will be elections September 27 and that there will be no further postponements." U.S. pressure remains key to ensuring Somaliland's election process moves forward and that public frustration does not degenerate into conflict.

RANNEBERGER